

**NORTH WEST COMMUNITY COUNCIL
MINUTES**

September 25, 2008

PRESENT: Councillor Robert Harvey, Chair
Councillor Brad Johns
Councillor Tim Outhit

STAFF: Mr. Randolph Kinghorne, Municipal Solicitor
Ms. Chris Newson, Legislative Assistant

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1. CALL TO ORDER

The Chair called the meeting to order at 7:00 p.m. at the Sackville Heights Community Centre Silver and Gold Room, 45 Connolly Road, Sackville.

2. APPROVAL OF MINUTES - August 12, 2008 and September 9, 2008

MOVED BY Councillor Brad Johns, seconded by Councillor Tim Outhit that the minutes of August 12 and September 9, 2008, as presented, be approved. MOTION PUT AND PASSED.

3. APPROVAL OF THE ORDER OF BUSINESS AND APPROVAL OF ADDITIONS AND DELETIONS

- Additions:**
- 11.1 Report from Bedford Watershed Advisory Board re: Case 00970: Bedford West - Sub Area 2 - Stormwater Management Plan and Lake Monitoring Program.
 - 11.2 Water Levels at Second and Third Lake, Sackville - Councillor Harvey
 - 11.3 Signage for Beaver Bank, Hammonds Plains and Upper Sackville Land Use By-Law - Councillor Johns
 - 11.4 Information Item 2: Implementation of Flashing Green Lights - Councillor Johns

MOVED BY Councillor Tim Outhit, seconded by Councillor Brad Johns that the order of business, as amended, be approved. MOTION PUT AND PASSED.

4. BUSINESS ARISING OUT OF THE MINUTES

4.1 Status Sheet Items

4.1.1 Pinehill Street Stormwater Drainage - No update

4.1.2 Storm Drain Issue - Cavalier Drive

Councillor Harvey advised that communication was ongoing between the municipal and provincial government in regard to this issue. To remain on status sheet.

4.1.3 Union Street Flooding - No update

Councillor Outhit requested an update from staff on this issue for the next meeting. To

remain on status sheet.

5. **MOTIONS OF RECONSIDERATION** - None

6. **MOTIONS OF RECISSION** - None

7. **CONSIDERATION OF DEFERRED BUSINESS** - None

8. **HEARINGS**

8.1 **Public Hearings**

8.1.1 **Case 00153: Amendments to the Sackville Drive Land Use By-Law - Pedestrian Retail (PR) Zone**

- A report from the North West Planning Advisory Committee dated August 26, 2008 was before the Community Council.
- Correspondence dated September 18, 2008 from Ms. Tara Hill, Chair, Sackville Drive Business Association, was before the Community Council.

Councillor Bob Harvey, Chair, reviewed the public hearing procedures. He then called upon Mr. Miles Agar, Planner, to present the report.

Councillor Harvey then opened the public hearing.

Public Speakers:

Danny Daud, Beaver Bank (Applicant)

Mr. Daud explained that he has been established at this location for the last three years running Coach's Pub and Grill dining room and lounge. He has brought in additional VLT machines. His application requests the ability to utilize the full 2500 square feet of space for entertainment after 9:00 p.m. so that his patrons may remain seated where they choose rather than having to move to the segregated area once the kitchen closes at 9:00 p.m.

Ian MacLellan, Lower Sackville

Mr. MacLellan explained that he had been informed that a numbered company was the owner of Coaches Pub and Grill. He requested clarification in regard to who was the actual owner. He also inquired whether or not the owner was in agreement with this proposal. Mr. MacLellan requested clarification on the current By-Law restriction of 800 square feet and the reason behind that limit. He did not feel the staff report showed an interest in the nearby neighbourhood that would be impacted by the amendment and wondered if increasing the VLT's was a good enough reason to amend the existing By-Law. Mr. MacLellan added that the amendment was not in the best interest of the community and he does not support amending the By-Law just to increase gambling.

In response to the issue of ownership, the following information was provided:

- Mr. Daud confirmed that he was still the majority owner of Coaches Pub and Grill.

- Mr. Miles Agar, Planner, explained that when the application first came forward to the planning department, Mr. Daud had full ownership. During the process, the ownership changed. He confirmed that there is a letter on file clearly outlining the ownership of Coach's.
- Ms. Thea Langille, Supervisor, Planning Applications, confirmed that consent had been received by both parties in regard to this application.
- Mr. Randolph Kinghorne, Municipal Solicitor, clarified that the owner may provide authority for another party to act on their behalf. Also, a corporation could change agents at any time.

In regard to the current By-Law and vision for Sackville Municipal Planning Strategy, the following information was provided:

- Ms. Thea Langille, Supervisor, Planning Applications, advised that during the creation of the Secondary Planning Strategy with the community, there was interest expressed for smaller scale commercial entertainment in the pedestrian retail zone. The current limit of 800 square feet is used in the Bedford Commercial zone from which the strategy was modelled. There have been some concerns expressed in relation to this amendment, however; there has also been public support for the change. She confirmed that there are two zones with restrictions on commercial entertainment uses: Acadia Village Zone, where applications are through development agreement only, and; the Pedestrian Retail Zone which has a size restriction.
- Mr. Miles Agar advised that a Public Information meeting had been held in relation to this application.
- Councillor Harvey added that only one member of the public attended the Public Information Meeting and their only concern was in regard to the footprint of the building.

Doreen McDougall, Sackville

Ms. McDougall, speaking in favour of the amendment, commented that the amendment would be simply to accommodate the public. Currently, if you are seated at one end and the kitchen closes you have to move. She added that the amendment would not make any difference in regard to noise or bring more people to the area.

Sheree Poirier, Lake Echo

Ms. Poirier, speaking in support of the amendment, commented that Coach's is a lounge that offers a place of leisure for an older crowd and that it is a nice place to go.

Nicole Hinkley, Lake Echo

Ms. Hinkley, speaking in support of the amendment, commented that the amendment would make Coach's even more of a place people would want to go after work. It would be better if patrons did not have to be limited to certain sections.

Alan Scott, Sackville

Mr. Scott, speaking in support of the amendment, commented that Sackville needs a place where you can go with your wife and relax without having to move back and forth.

Michelle Champais, Sackville Drive Business Association

Ms. Champais advised that the Sackville Drive Business Association was in support of the recommendation to increase the square footage for commercial entertainment uses in the Pedestrian-Retail zone. The amendment would allow for a viable business venture and remain in keeping with the intent of the Pedestrian-Retail zone.

Councillor Harvey commented that the letter from the Sackville Drive Business Association was received and was part of the record for this application.

Councillor Harvey, Chair, gave the third and final call for anyone wishing to speak to this proposal. Hearing none, it was **MOVED BY Councillor Tim Outhit, seconded by Councillor Brad Johns that the public hearing be closed. MOTION PUT AND PASSED.**

MOVED BY Councillor Brad Johns, seconded by Councillor Tim Outhit that the North West Community Council approve the proposed amendments to the Sackville Drive Land Use By-Law to amend the commercial entertainment size provisions for the PR Zone, as shown in Attachment "A" of the staff report dated July 28, 2008. MOTION PUT AND PASSED.

8.2 Variance Hearings - None

9. CORRESPONDENCE, PETITIONS AND DELEGATIONS

9.1 Correspondence

9.1.1 Former Cobequid Health Centre

- An E-mail dated September 5, 2008 from Mr. Jim Murphy was before Community Council.

MOVED BY Councillor Brad Johns, seconded by Councillor Tim Outhit that the North West Community Council send a letter to The Honourable Judy Streach, Minister of Community Services, in regard to the redevelopment of the former Cobequid Health Centre building commending the department for renovations to the building while drawing attention to the variation in the brick facade (new brick adjacent to old brick) which has resulted in an unfinished look. MOTION PUT AND PASSED.

9.2 Petitions - None

9.3 Presentations - None

10. REPORTS

10.1 Staff - None

10.2 Members of Council - None

10.3 North West Planning Advisory Committee - None

10.4 North West Transit Advisory Committee - None

10.5 Halifax Watershed Advisory Board - None

10.6 Bedford Watershed Advisory Board

See Added Item 11.1, page 7, re: Case 00970: Bedford West - Sub Area 2 - Stormwater Management Plan and Lake Monitoring Program.

11. ADDED ITEMS

11.1 Report from the Bedford Waters Advisory Board dated September 16, 2008 re: Case 00970: Bedford West - Sub Area 2 - Stormwater Management Plan and Lake Monitoring Program

- A report dated September 16, 2008 was before Community Council.

MOVED BY Councillor Brad Johns, seconded by Councillor Tim Outhit that this item be deferred pending review by the North West Planning Advisory Committee.

Ms. Thea Langille, Supervisor, Planning Applications, advised that Case 00970 would be going forward to the North West Planning Advisory Committee on Wednesday, October 1, 2008.

MOTION PUT AND PASSED.

11.2 Lake Levels for Second and Third Lake, Sackville

Councillor Harvey advised that CN would be repairing a culvert at Second Lake which may cause fluctuations in water levels at Second and Third Lake in Sackville. The contact number for CN's public inquiry line is 1-888-888-5909.

11.3 Signage for Beaver Bank, Hammonds Plains and Upper Sackville - Land Use By-Law

Referencing a staff Information Report dated October 5, 2007 previously received by the North West Community Council at their December 11, 2007 meeting, Councillor Johns put forward the following motion:

MOVED BY Councillor Johns, seconded by Councillor Outhit that the North West Community Council request staff to commence implementation, through the Land Use By-Law for Beaver Bank, Hammonds Plains and Upper Sackville, to allow signage for home based businesses in the R1 and R6 zones similar to that in the Sackville Planning Strategy for a single sign not to exceed 2' x 2' square. MOTION

PUT AND PASSED.

11.4 Information Item 2: Implementation of Flashing Green Lights

Councillor Johns, referencing the Information Report from staff dated July 31, 2008, advised that staff have indicated a left-hand turning lane at the intersection of Beaver Bank Road and Millwood Drive would be implemented during the p.m. peak. He thanked staff for their efforts in regard to this matter.

12. NOTICES OF MOTION - None

13. PUBLIC PARTICIPATION

No members of the public came forward at this time.

14. NEXT MEETING DATE - October 23, 2008

Item for next agenda: Traffic concerns (coming from MetroLink Terminal) on Walker Avenue during late afternoon - Councillor Harvey

15. ADJOURNMENT

The meeting adjourned at 7:32 p.m.

Chris Newson
Legislative Assistant